

Message Text

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PAGE 01 STATE 058239

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ORIGIN COA-02

INFO OCT-01 EA-02 ISO-00 /005 R

66617

DRAFTED BY: COA:PAWELLING

APPROVED BY: WILLIAM L. SULLIVAN

EA/J:MR.DANKERT

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R 222208Z MAR 74

FM SECSTATE WASHDC

TO AMEMBASSY TOKYO

UNCLAS STATE 058239

FOLLOWING REPEAT COGARD 200830Z MAR SENT INFO DEPT OF STATE
DEPT OF THE INTERIOR DOT DEPT OF JUSTICE CNO JCS INS COMM
CUSTOMS NMCC THE WHITE HOUSE NMFS WHICH REPEAT FROM
CCGDSEVENTEEN JUNEAU AK TO COGARD INFO COMPACAREA COGARD
USCGC MIDGETT COGARD BASE KODIAK COGARD COTP ANCHORAGE
U.S. ATTORNEY ANCHORAGE AK DATED 200610Z MAR

QUOTE

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O TO G-000-4

JA TZ VIOLATION UMNAK ISLAND SITSUM ONE

A. COMDTINST 5710.2 NOTAL

1. SITUATION: 191945Z MAR 74 CGC MIDGETT DISCOVERED LONGLINE
MARKERS BUOYS INSIDE TZ AT POSIT 53-35.5N 167-56.5W (APPROX
2.2 MILES FROM CAPE TANAK, UMNAK ISLAND). BUOYS MARK ONE END OF
LONGLINE; OPPOSITE END OUTSIDE TZ APPROX 3.7 MILES FROM NEAREST
LAND. F/V EBISU MARU NR88/JPZQ (HK 1-308) ONLY VSL NOTED IN
AREA (RADAR, VISUAL) AND WORKING SIMILAR LONGLINE GEAR IN
ADJACENT CFZ.

2. ACTION TAKEN:

A. 191807Z MIDGETT/NMFS PERS MADE COURTESY BOARDING OF LL
F/V EBISU MARU NR88. CHART INSPECTION REVEALED ONLY TWO PLOTTED
POSITS OF F/V, BOTH 4 NM FROM NEAREST LAND. NO TIMES INDICATED
ON CHARTED POSITS. LAST POSIT RECORDED IN NAV LOG WAS FOR
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PAGE 02 STATE 058239

191300Z SHOWING POSIT OUTSIDE TZ.

B. 191945Z LL GEAR DISCOVERED INSIDE TZ. RADIO BEACON REMOVED FROM END OF GEAR BEARS MARKING "NR88", TRANSMITS "K127" IN CW MODE ON 1637.5 KHZ (1 MINUTE ON, 3 MIN OFF).

C. 192039Z MIDGETT DIRECTED EBISU MARU NR88 TO HEAVE TO FOR BOARDING.

D. 192051Z EBISU MARU NR88 DROPPED GEAR; HOVE TO IN POSIT 53-37.5N 167-54W.

E. 192114Z MIDGETT BOARDING PARTY ABOARD EBISU MARU NR88. MASTER ADMITS RADIO BEACON (PARA 2B ABOVE) BELONGS TO HIS F/V; STATEMENT MADE WITHOUT PRIOR WARNING OF RIGHTS. (CONFISCATED RADIO BEACON PROVED IDENTICAL TO TWO BEACONS RETRIEVED BY F/V AT 192250Z AND 192345Z AS WELL AS TO THREE OTHERS STOWED ABOARD F/V).

F. 192200Z AS PER U.S. ATTORNEY ANCH REQ, F/V DETAINED BY MIDGETT PENDING RECEIPT OF AMPLIFYING INFO. EBISU MARU NR88 RECOVERING LL GEAR AS REQUESTED BY MIDGETT.

G. 192330Z RCVD COMDT AUTH TO SEIZE F/V.

H. 200050Z MIDGETT ADVISES EBISU MARU NR88 ARRIVED IN IMMEDIATE AREA OF VIOLATION ABOUT 191300Z MAR (ACCORDING TO F/V'S LOGS). EST GEAR ALLOWED TO SOAK LESS THAN TWELVE HOURS BEFORE HAULING. FISH IN RECOVERED GEAR RELATIVELY FRESH; GEAR HAS NOT BEEN FISHING A PROLONGED PERIOD. NMFS AGENT NAAB BELIEVES CONFISCATED RADIO BEACON CAN BE POSITIVELY ASSOCIATED WITH EBISU MARU NR88.

I. 200145Z MIDGETT ADVISES INFO OBTAINED BY BOARDING PARTY DEFINITELY ASSOCIATES CONFISCATED RADIO BEACON WITH EBISU MARU NR 88. F/V CONTINUES TO HAUL IN HIS LL GEAR.

J. 200210Z MIDGETT DIRECTED TO EFFECT SEIZURE OF EBISU MARU NR88 FOR VIOLATION 16 USC1081 AND EXCORT TO COGARD BASE KODIAK UPON COMPLETION OF LL RECOVERY.

K. 200230Z MIDGETT DIRECTED TO ADVISE MASTER OF RIGHTS USING BILINGUAL WARNING CARDS PROVIDED IN ALPAT MATERIALS; RE-INTERVIEW MASTER CONCERNING VIOLATION SUBJ TO HIS WAIVER OF RIGHT OF SILENCE AND CONSULTATION WITH LAWYER.

L. 200405Z JA CONSUL ANCHORAGE REP CALLED D17(RCC) REQUESTING INFO THIS CASE; HAD BEEN ADVISED BY JFA TOKYO THAT JA F/V HAD BEEN CAPTURED IN THE ALEUTIANS BY USCG CUTTER. CONSUL REP GIVEN BASIC CASE DATA AND REFERRED TO U.S. ATTORNEY ANCH MORNING 20 MAR FOR DETAILS.

3. FUTURE PLANS:

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PAGE 03 STATE 058239

A. MONITOR RECOVERY OF LL GEAR BY EBISU MARU NR88.

B. MIDGETT ESCORT F/V TO BASE KODIAK.

C. PREPARE CASE DOCUMENTATION FOR U.S. ATTORNEY ANCH REVIEW/USE.

4. FOR INFO ALCON, CCGD17 NEWS RELEASE THIS CASE TO BE MADE WITH COMDT CONCURRENCE AFTER COMDT-DOS AND U.S. ATTORNEY ANCH-DOJ CONSULTATIONS 20 MAR; IN INTERIM, PROVISIONS PARA 4B(2) REF A APPLY. ADDEES WITHIN SEVENTEEN DISTRICT SHALL KEEP CCGD17(DPI)

ADVISED OF ANY NEW MEDIA QUERIES RCVD AND UNIT RESPONSE GIVEN.

5. CASE PENDS. UNQUOTE KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NAVAL FORCES, SHIP DETENTION, FISHING BOATS, TERRITORIAL WATERS VIOLATIONS, EBISU MARU FV
Control Number: n/a
Copy: SINGLE
Draft Date: 22 MAR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE058239
Document Source: CORE
Document Unique ID: 00
Drafter: COA:PAWELLING
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740062-0807
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Previous Handling Restrictions: n/a
Reference: n/a
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Review Authority: shawdg
Review Comment: n/a
Review Content Flags:
Review Date: 12 JUL 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 JUL 2002 by elbezefj>; APPROVED <10 DEC 2002 by shawdg>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: n/a
TAGS: EFIS, PBOR, JA, US
To: TOKYO
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005